

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

JAMES MORRISON,

Plaintiff,

vs.

KIM DAHL; SUSAN MESSERLY;
BUREAU OF INDIAN AFFAIRS;
ATTORNEY GENERAL OF THE
STATE OF MONTANA,

Defendants.

CV 20-153-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on tribal pro se prisoner James Morrison's failure to provide the Court with details pertaining to the procedural posture of his case and the exhaustion of tribal remedies. (Doc. 5). Morrison failed to respond. The Magistrate recommended that Morrison's Complaint be dismissed, and judgment entered against Morrison. (Doc. 14 at 4).


Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 14) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that the matter is DISMISSED and judgment shall be entered against Plaintiff pursuant to Rule 58 of the Federal Rules of Civil Procedure and the matter shall be closed. The Clerk of Court shall have the docket reflect that, pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure, any appeal of this decision will not be taken in good faith.

DATED this 11th day of May, 2021.



SUSAN P. WATTERS
United States District Judge